R E M A R K S

Election/Restriction

Claims 1-20 were classified as by the Examiner as a first Group I, and claims 21-24 were classified by the Examiner as a second Group II in an Election/Restriction requirement. Applicant affirms his provisional election of Group I, claims 1-20, without traverse, to prosecute in the present application. Applicant reserves the right to reintroduce the claims of Group II in a divisional or other continuing application.

Specification

The disclosure was objected to because "Cross-references to related applications and Patents should be inserted on the first page of Applicant's disclosure." It should be noted that the Application Transmittal filed 4/19/99 requested such an amendment to the application. Nevertheless, since the amendment was apparently not entered, the application has be amended by this Amendment B as requested by the Examiner. The Examiner is respectfully requested to withdraw this objection.

The Examiner objected under 35 U.S.C. 132 to the amendment filed 12/22/99 in that an amended claim included the limitation "communicating via a WAN." Applicant respectfully demurrers. 35 U.S.C. 132 specifies that "No amendment shall introduce new matter *into the disclosure* of the invention." (emphasis added). However, the amendment filed 12/22/99 only amended the claims and title, not the disclosure. The Examiner is respectfully requested to withdraw this objection.

Rejection under 35 U.S.C. 112, First Paragraph

There was a generalized rejection under 35 U.S.C. 112, first paragraph, concerning "communicating via a WAN." Applicant takes this as a rejection of dependent claim 14, which is the only claim which recites the term "WAN." Applicant respectfully traverses this rejection. In fact, there is considerable support for communication via a wide area network (WAN) throughout the specification. Some (but certainly not all) of the support is listed below.

The use of the acronym WAN for a wide area network is well known by those skilled in the art. For example, in the background of the invention, it is disclosed:

> E-mail systems tend to work quite smoothly if only a single mail system is used on a particular computer. However, things begin to get more complicated if the personal computer system supports a number of e-mail systems. For example,

a personal computer can be coupled to a local area network (LAN), *a wide area network (WAN)*, a mainframe computer, and to other computerized systems over telephone lines via modems. (Background, page 1, lines 22-26, emphasis added).

The capability of WAN connection is shown in Fig. 1, which shows a user computer system 12 coupled to a number of external communication channels, including a remote system 22:

> The computer system 12 also has the capability of sending and receiving e-mail to a number of remote systems 22. For example, the computer system 12 can communicate with a commercial service such as *America On-Line (AOL), communicate through the Internet,* or communicate with an On-Line Banking System. (Detailed Description, page 7, lines 23-26, emphasis added)

Both AOL and the Internet are well-known instances of wide area networks (WANS). The Internet embodiment, in particular, was extremely thoroughly discussed in the specification. For example:

> An example of the establishment of an e-mail connection to the *Internet* is illustrated in Figures 7a and 7b. The Internet has become an increasingly popular vehicle for electronic communication and information transfer. (Detailed Description, page 12, lines 3-5, *emphasis added*).

Still further, the World Wide Web (WWW) is an application operating on Internet protocols, and is undoubtedly the world's most famous example of a wide area network (WAN) application. Again, the WWW is thoroughly discussed as an instance of an e-mail communication channel. For example:

> When a particular *World Wide Web* site is accessed, the information associated with the area is placed in a cache, a set of files stored on the user's computer. (Detailed Description, page 12, lines 21-22, *emphasis added*)

Applicant therefore respectfully asserts that the term WAN as used in claim 14 is both well known term and is well supported by Applicant's specification. The Examiner is therefore respectfully requested to withdraw this rejection under 35 U.S.C. 112, first paragraph.

Rejections under 35 U.S.C. 112, Second Paragraph

The Examiner made a number of rejections under 35 U.S.C. 112, second paragraph. In response thereto, antecedent basis has been corrected in claim 2. The word "system" has been removed from claim 2. In claim 10, the word -- account -- has been inserted. Applicant

respectfully disagrees with the examiner concerning her suggestions as to claim 12, and believe that the terminology of the claim would be clear to those skilled in the art as supported by the patent disclosure. The dependency of claim 20 has been amended as suggested by the Examiner. Also in claim 20, the word "inputter" has been changed to -- input interface --, which addresses the questions of the examiner. Applicant respectfully requests the Examiner withdraw the rejections of the claims under 35 U.S.C. 112, second paragraph.

Double Patenting Rejections

The Examiner rejected a number of the claims with a non-statutory double patenting rejection. For the sake of prosecution expediency, and without agreeing or disagreeing with the Examiner's assertions on this matter, Applicant would agree to file a terminal disclaimer with respect to U.S. Patent No. 5,956,486 when the claims are otherwise allowable.

Rejections Under 35 U.S.C. 103

Claims 1, 2, 8, 10-14 and 18-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson et al. ("Thompson") in view of Cooper et al. ("Cooper"). As noted by the Examiner, the priority date of Cooper in November 7, 1995, which is only about a month before Applicant's priority date of December 20, 1995. Applicant reserves the right to swear behind the Cooper reference based upon prior invention, but does not believe that he needs to do so, as set forth below.

The Cited Art

Thompson teaches an apparatus for automatically polling message service systems to obtain messages for a user of the apparatus. The apparatus is a computer attached to the user s telephone connected to a communication switching (PB) system. The computer responds to messages from the communication switching system or to an internal real time clock timing out to poll a number of different types of message service systems to obtain messages for the user. The computer automatically performs logon procedures, message access procedures and message deletion procedures with the various message service systems. If the message service system is audio only, the computer generates audio tones and interprets verbal instruction in order to implement the above procedures.

Cooper teaches an answering machine that receives and records both voice and email messages. The answering machine includes a telephone line interface, a modem, a processor, memory for storing the processor software and recording the messages, a speaker, a display and a keypad. When the answering machine detects a ring signal on the telephone line to which it is connected, it answers the call. The answering machine plays an outgoing message for the caller to hear and records the caller s incoming voice message. Periodically or at predetermined times, the answering machine may check for email messages by calling a service provider. When the

service provider answers the call, the answering machine logs in, downloads and stores at least a portion of email messages that have been received. A user can view the display and review the messages. oice mail messages are played through the speaker, and email messages are provided on the display.

The Cited Art Distinguished

The present invention solves the major problem of having multiple e-mail accounts, i.e. having to access each e-mail account, one by one, to retrieve all of the e-mail. Neither Thompson nor Cooper address or even recognize this problem. The Thompson invention operates in a PBX environment, e.g. the PBX communications environment of a large company. There is no reason why a person would have more than one e-mail address in a PBX environment. To do so would only create confusion and, indeed, the system taught by Thompson does not contemplate polling multiple e-mail addresses for consolidation purposes. In fact, Thompson teaches away from the concept of multiple e-mail addresses by its very nature as a PBX system.

Cooper does not cure the deficiencies of Thompson as prior art for the present invention, nor is it properly combinable with Thompson. As noted by the Examiner, Thompson addresses the PBX environment. Cooper, on the other hand, does not work in a PBX environment, as it is directed to a standard answering machine connected to a standard telephone line which is combined with an e-mail retrieval service which also uses the standard telephone line to access a service provider via a modem. Cooper's machine is designed to retrieve e-mail from a single e-mail service provider, i.e. it does not poll two or more e-mail accounts to consolidate the e-mail from such multiple accounts. Cooper simply periodically checks one, dedicated e-mail account and download content to be displayed.

Therefore, neither Thompson nor Cooper address the problem solved by the present invention, nor would they be suitable to practice the present invention. Further, it is improper to combine Thompson and Cooper since Thompson is directed to a PBX environment, and Cooper is directed away from a PBX environment. Still further, even if Thompson and Cooper were combined, they do not include all (or any) of the elements of the claims. For example, with respect to claim 1, the combined disclosures of Thompson and Cooper do not reach obtaining access information for a plurality of e-mail accounts; retrieving mail data from a plurality of accounts; and consolidating the mail data from the plurality of accounts. Arguments that Thompson and/or Cooper could be modified to practice the claimed invention are unsupported by any prior art reference. Applicant respectfully requests that the rejection of the claims be withdrawn.

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The Moon Reference

The priority date of U.S. Patent No. 6,195,686 is September 29, 1997, almost two years past the priority date of Applicant's claimed invention. It therefore would appear not to have any prior art effect with respect to the present application.

Conclusion

Applicant believes that all pending claims are allowable both in form and in view of the cited art, and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,

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<u>Mark-ups of Amendments to the Specification Made in this Amendment B</u>

<u>This is a continuation application of co-pending prior U.S. Patent Application No. 08/575,918 filed on 12/20/95, now U.S. Patent No. 5,956,486, the disclosure of which is incorporated herein by reference.</u>

<u>All Pending Claims including Mark-Ups of Claims Amended in this Amendment B</u>

1.   (once amended)   A method for monitoring multiple electronic mail accounts comprising:

obtaining access information for a plurality of e-mail accounts;   *addresses*

retrieving mail data from said plurality of e-mail accounts; and

consolidating said mail data from said plurality of e-mail accounts.   "50"

2.   (twice amended)   A method for monitoring multiple electronic mail accounts as recited in claim 1 wherein obtaining access information includes:

receiving [the] a designation of a plurality of e-mail accounts; and

receiving [the] a designation of access protocols concerning said plurality of e-mail [system] accounts.

Claims 3 - 7 were canceled without prejudice.

8.   (once amended)   A method for monitoring multiple electronic mail accounts as recited in claim 2 wherein said consolidated mail data is stored in a machine-readable memory of a user's system.

Claim 9 was canceled without prejudice.

10.   (twice amended)   A method for monitoring multiple electronic mail accounts as recited in claim 8 further comprising:

visually displaying an indication on said user's system that there is at least one message from at least one e-mail <u>account</u>.

11. (once amended) A method for monitoring multiple electronic mail accounts as recited in claim 10 further comprising visually displaying information concerning at least one message for said user.

12. (once amended) An apparatus for monitoring multiple electronic mail accounts comprising:

a digital processor;

read/write memory coupled to said digital processor;

at least one external communications channel coupled to said digital processor permitting said digital processor to communicate with a plurality of external electronic mail accounts;

a poller at least partially stored in said read/write memory and executable on said digital processor, said poller being operative to generate inquiries over said at least one communications channel to said plurality of electronic mail accounts;

a data retriever at least partially stored in said read/write memory and executable on said digital processor, said data retriever being operative to receive data concerning mail intended for a designated user from said plurality of electronic mail accounts; and

a consolidator developing data concerning mail for said designated user from said plurality of electronic mail accounts.

13. (once amended) An apparatus for monitoring multiple electronic mail accounts as recited in claim 12 wherein said at least one external communications channel includes a Local Area Network (LAN).

14. (once amended) An apparatus for monitoring multiple electronic mail accounts as recited in claim 12 wherein said at least one external communications channel includes a Wide Area Network (WAN).

Claims 15-17 were canceled without prejudice.

18.   (once amended)   An article of manufacture for monitoring multiple electronic mail accounts comprising:

a machine-readable storage medium;

a poller stored in said storage medium and including program instructions to generate inquiries over at least one communications channel to a plurality of electronic mail accounts;

a data retriever stored in said storage medium and including program instructions to receive data concerning mail intended for a designated user from said plurality of electronic mail accounts; and

a data handler stored in said storage medium and including program instructions to store and retrieve said data concerning mail for said designated user from said plurality of electronic mail accounts.

19.   (once amended)   An article of manufacture as recited in claim 18 further comprising:

a controller stored in said storage medium for selectively controlling said poller, said data retriever, and said data handler.

20.   (twice amended)   An article of manufacture as recited in claim [29] 19 further comprising an [inputter] input interface stored in said storage medium to provide user inputs to said controller, and a displayer coupled to said data handler and to said controller to selectively display data stored by said data handler.

Claims 21-24 have been withdrawn from consideration and canceled without prejudice.